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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,898	08/28/2006	Toru Sasabe	2006-0455A	2079
52349 7590 03/18/2010 WENDEROTH, LIND & PONACK L.L.P. 1030 15th Street, N.W. Suite 400 East Washington, DC 20005-1503				
EXAMINER				
STU, SARAH				
ART UNIT		PAPER NUMBER		
2431				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/573,898

Applicant(s)

SASABE, TORU

Examiner

Sarah Su

Art Unit

2431

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 19-36 is/are rejected.
7) ☒ Claim(s) 28 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 29 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/GS-08)
Paper No(s)/Mail Date 3/29/06, 9/19/07, 2/6/09
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. Preliminary Amendment, received on 29 March 2006, has been entered into record. In this amendment, claims 1-18 have been canceled, and claims 19-36 have been added.
2. Claims 19-36 are presented for examination.

Priority

3. The claim for priority from PCT/JP04/14363 filed on 30 September 2004 is duly noted.
4. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

5. Claim 28 is objected to because of the following informalities:
 - a. In claim 28, line 2: "a first electronic apparatus" is unclear if it relates to "A first electronic apparatus" (claim 28, line 1) and should read --the first electronic apparatus--.

Appropriate correction is required.

Drawings

6. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in

compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: S3 (Figure 7); S13, S20 (Figure 8). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 19, 20, 28, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevens et al. (US 2003/0048174 A1 and Stevens hereinafter). As to claims 19 and 28, Stevens discloses a system and method for wirelessly transmitting a password that can be used to unlock/lock a password protected electronic device, the system and method having:

wherein the second electronic apparatus comprises a second storage device for previously storing a password (0015, lines 1-2),

wherein the first electronic apparatus comprises:

a first storage device for previously storing the password (0016, lines 10-12);

a control device for requesting the second electronic apparatus to transmit the password stored in the second storage device at activation of the first electronic apparatus, receiving the password from the second electronic apparatus, comparing the received password with the password stored in the first storage device, and executing a security function so as to start an operation of the first electronic apparatus when the passwords coincide with each other (0016, lines 10-16).

As to claims 20 and 29, Stevens discloses:

wherein the control device compares the received password with the password stored in the first storage device, and executes the security function so as to stop the operation of the first electronic apparatus when the passwords do not coincide with each other (0016, lines 16-19).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 21, 22, 24-27, 30, 31, and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens as applied to claims 19 and 28 above, and in view of Chou et al. (US Patent 5,892,906 and Chou hereinafter).

As to claims 21 and 30, Stevens discloses:

**wherein the first electronic apparatus further comprises:
a display device for displaying a message to a user (0022, lines 8-12);
an input device for inputting the password (0022, lines 8-12).**

Stevens fails to specifically disclose:

wherein the control device compares the received password with the password stored in the first storage device, displays a request of inputting the password to a user on the display device when the passwords do not

coincide with each other, compares the password inputted by the user using the input device with the password stored in the first storage device, and starts the operation of the first electronic apparatus when the passwords coincide with each other.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses a system and method for preventing theft of computer devices, the system and method having:

wherein the control device compares the received password with the password stored in the first storage device (120, Figure 10), displays a request of inputting the password to a user on the display device when the passwords do not coincide with each other, compares the password (i.e. signature) inputted by the user using the input device with the password stored in the first storage device, and starts the operation of the first electronic apparatus when the passwords coincide with each other (col. 9, lines 28-30, 33-36).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by allowing entry of a user inputted password in order to start operation. Chou recites motivation by disclosing that allowing entry of a password by a user provides an emergency mode such that the user can enter the administration mode without entering either one of the user selected password

(col. 9, lines 25-28). It is obvious that the teachings of Chou would have improved the teachings of Stevens by providing for a way for a user to access the device without the proper first password in order to provide access in the event of an emergency.

As to claims 22 and 31, Stevens fails to specifically disclose:

wherein the control device compares the password inputted by the user with the password stored in the first storage device, and stops the operation of the first electronic apparatus when the passwords do not coincide with each other.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

wherein the control device compares the password inputted by the user with the password stored in the first storage device, and stops the operation of the first electronic apparatus when the passwords do not coincide with each other (col. 9, lines 40-43).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by stopping operation if a user inputted password does not match. Chou recites motivation by disclosing that requiring a user to enter a unique word or number related to the particular computer each time the computer is powered up discourages theft (col. 2, lines 10-13). It is obvious that the

teachings of Chou would have improved the teachings of Stevens by stopping operation of a device if a user entered password does not match in order to discourage theft of the device.

As to claims 24 and 33, Stevens fails to specifically disclose:

wherein the first electronic apparatus further comprises a third storage device for previously storing a special password other than the password,

wherein the control device compares the inputted password with the special password stored in the third storage device, and starts the operation of the first electronic apparatus when the passwords coincide with each other.

Nonetheless, these features are well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

wherein the first electronic apparatus further comprises a third storage device for previously storing a special password other than the password (col. 4, lines 20-24),

wherein the control device compares the inputted password with the special password stored in the third storage device, and starts the operation of the first electronic apparatus when the passwords coincide with each other (col. 4, lines 10-19).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by using another password to start operation of a device. Chou recites motivation by disclosing that two keys are provided in the event that one key is mislaid (col. 4, lines 20-24). It is obvious that the teachings of Chou would have improved the teachings of Stevens by providing for an alternative password that can start operation of a device in order to provide for access even if a first password is lost.

As to claims 25 and 34, Stevens discloses:

wherein the control device executes the processings of the first detecting device and the second detecting device during operation of the first electronic apparatus (0015, lines 9-13).

Stevens fails to specifically disclose:

a first detecting device for detecting whether or not the second electronic apparatus is connected to the first electronic apparatus via the apparatus control line;

a second detecting device for detecting whether or not the second electronic apparatus has the security function using a control signal of the apparatus control line when the first detecting device detects that the second electronic apparatus is connected to the first electronic apparatus.

Nonetheless, these features are well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

a first detecting device for detecting whether or not the second electronic apparatus is connected to the first electronic apparatus via the apparatus control line (45, Figure 5);

a second detecting device for detecting whether or not the second electronic apparatus has the security function using a control signal of the apparatus control line when the first detecting device detects that the second electronic apparatus is connected to the first electronic apparatus (44, 45, Figure 5).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by detecting if an apparatus is connected and if a security function exists. Chou recites motivation by disclosing that when a computer is in a locked state (i.e. has security function), the external memory must be connected to the computer in order to discourage theft (col. 2, lines 35-40). It is obvious that the teachings of Chou would have improved the teachings of Stevens by checking if a device has a security function and if a second apparatus is connected in order to ensure that a user is authorized to use a computer and thus discourage theft of the device.

As to claims 26 and 35, Stevens fails to specifically disclose:

wherein the control device stops the processing of the security function, and starts an ordinary operation of the first electronic apparatus when the first detecting device detects that the second electronic apparatus is not connected to the first electronic apparatus.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

wherein the control device stops the processing of the security function, and starts an ordinary operation of the first electronic apparatus when the first detecting device detects that the second electronic apparatus is not connected to the first electronic apparatus (col. 5, lines 64-66; col. 6, lines 13-20).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by starting ordinary operation of a device when a second apparatus is not connected. Chou recites motivation by disclosing that when a user believes theft is a minimal risk, the user may unlock the computer so that the security key is not required (i.e. not connected) (col. 5, lines 63-66). It is obvious that the teachings of Chou would have improved the teachings of Stevens by unlocking the computer if the risk of theft is believed to be low in order to allow for regular operation without attaching a security key.

As to claims 27 and 36, Stevens fails to specifically disclose:

wherein the control device stops the processing of the security function, and starts the ordinary operation of the first electronic apparatus when the second detecting device detects that the second electronic apparatus does not have the security function.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens, as taught by Chou.

Chou discloses:

wherein the control device stops the processing of the security function, and starts the ordinary operation of the first electronic apparatus when the second detecting device detects that the second electronic apparatus does not have the security function (i.e. unlocked) (col. 4, lines 61-63).

Given the teaching of Chou, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens with the teachings of Chou by starting an ordinary operation if a security function is not present. Please refer to the motivation recited above with respect to claims 26 and 35 as to why it is obvious to apply the teachings of Chou to the teachings of Stevens.

12. Claims 23 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens in view of Chou as applied to claims 21 and 30 above, and further in view of Karasawa et al. (US Patent 4,786,900 and Karasawa hereinafter).

As to claims 23 and 32, Stevens in view of Chou fails to specifically disclose:

wherein the control device compares the password inputted by the user a predetermined number of times of more than two with the password stored in the first storage device, and stops the operation of the first electronic apparatus when the passwords do not coincide with each other.

Nonetheless, this feature is well known in the art and would have been an obvious modification of the teachings disclosed by Stevens in view of Chou, as taught by Karasawa.

Karasawa discloses a system and method for using an electronic key apparatus to unlock a lock, the system and method having:

wherein the control device compares the password inputted by the user a predetermined number of times of more than two with the password stored in the first storage device, and stops the operation of the first electronic apparatus when the passwords do not coincide with each other
(col. 9, lines 2-10).

Given the teaching of Karasawa, a person having ordinary skill in the art at the time of the invention would have readily recognized the desirability and advantages of modifying the teachings of Stevens in view of Chou with the teachings of Karasawa by allowing a predetermined number of password entry attempts before stopping

operation. Karasawa recites motivation by disclosing that by allowing three attempts to correctly enter a password, it is guaranteed that a person who does not know the preset password data cannot use the electronic key (col. 9, lines 8-10). It is obvious that the teachings of Karasawa would have improved the teachings of Stevens in view of Chou by allowing a predetermined number of entry attempts before stopping operation in order to ensure that a person without the proper knowledge cannot gain access, while still accommodating for entry mistakes of an authorized user.

Prior Art Made of Record

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Baumeister et al. (US Patent 6,859,142 B2) discloses a system and method for theft protection of an electronic apparatus connected to a bus system.
- b. Doi et al. (US Patent 7,543,755 B2) discloses a system and method for using an electronic key with an electronic locking apparatus.
- c. Freeman et al. (US Patent 7,200,761 B1) discloses a system and method for using secure passwords in an unsecure program environment.
- d. Hamaguchi et al. (US Patent 7,305,714 B2) discloses a system and method for protecting a computer using an anti-theft device.
- e. Inoue et al. (US Patent 6,928,557 B1) discloses a system and method for ejecting a recording medium from a detachable storage unit.

- f. Tanaka et al. (US Patent 7,008,456 B1) discloses a system and method for accessing a computer with security function.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Su whose telephone number is (571) 270-3835. The examiner can normally be reached on Monday through Friday 7:30AM-5:00PM EST..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sarah Su/
Examiner, Art Unit 2431

/Christopher A. Revak/
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